

DECLARATION AND POWER OF ATTORNEY- USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled EXPRESSED SEQUENCE TAGS AND ENCODED HUMAN PROTEINS; the specification of which was filed on **February 24, 2000** as Application Serial No. **09/513,999** and was amended on .

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/122,487

Filing Date: 02/26/99

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Jean-Baptiste Dumas-Milne Edwards**

Inventor's signature _____

Date

22th January 2002

Residence: **8, rue Gregoire de Tours, 75006 Paris, France**

Citizenship: **French**

Post Office Address: **8, rue Gregoire de Tours, 75006 Paris, France**

Full name of second inventor: **Aymeric Duclert**

Inventor's signature _____

Date _____

Residence: **6 ter, rue Victorine, 94100 Saint-Maur, France**

Citizenship: **French**

Post Office Address: **6 ter, rue Victorine, 94100 Saint-Maur, France**

Full name of third inventor: **Jean-Yves Giordano**

Inventor's signature _____

Date _____

Residence: **12 rue Duhesme, 75018 Paris, France**

Citizenship: **French**

Post Office Address: **12 rue Duhesme, 75018 Paris, France**

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

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Full name of first inventor: **Jean-Baptiste Dumas Milne Edwards**

Inventor's signature A


Date _____

Residence: 8, rue Gregoire de Tours, 75006 Paris, France

Citizenship: French

Post Office Address: 8, rue Gregoire de Tours, 75006 Paris, France

Full name of second inventor: **Aymeric Duclert**

Inventor's signature 

Date 14 February 2002

Residence: **6 ter, rue Victorine, 94100 Saint-Maur, France**

Citizenship: **French**

Post Office Address: **6 ter, rue Victorine, 94100 Saint-Maur, France**

Full name of third inventor: **Jean-Yves Giordano**

Inventor's signature _____

Date _____

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Citizenship: **French**

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PATENT & TRADEMARK

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Inventor's signature _____

Date _____

Citizenship: French

Post Office Address: 8, rue Gregoire de Tours, 75006 Paris, France

Full name of second inventor: **Aymeric Duclert**

Inventor's signature _____

Date _____

Residence: **6 ter, rue Victorine, 94100 Saint-Maur, France**

Citizenship: **French**

Post Office Address: **6 ter, rue Victorine, 94100 Saint-Maur, France**

Full name of third inventor: **Jean-Yves Giordano**

Inventor's signature  _____

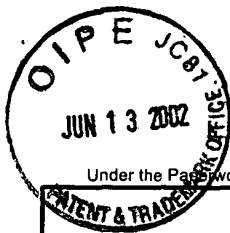
Date 15/01/02 _____

Residence: **12 rue Duhesme, 75018 Paris, France**

Citizenship: **French**

Post Office Address: **12 rue Duhesme, 75018 Paris, France**

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Jean-Baptiste Dumas Milne Edwards, et al.
Application No./Patent No.: 09/513,999 Filed/Issue Date: 02/24/2000
Entitled: Expressed Sequence Tags and Encoded Human Proteins
GENSET, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

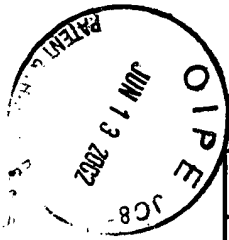
- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5/31/02
Date

John Lucas, Ph.D., J.D.
Typed or printed name
John Lucas
Signature
Director, Intellectual Property
Title



Approved for use through 08/30/2000. OMB 0651-0031
 Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket Number (Optional)
 59.US2.REG

Applicant, Patentee, or Identifier: Jean-Baptiste Dumas Milne Edwards, et al.

Application or Patent No.: 08/513,999

Filed or Issued: February 24, 2000

Title: Expressed Sequence Tags and Encoded Human Proteins

I hereby state that I am

- ☐ the owner of the small business concern identified below.
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Genset S.A.

ADDRESS OF SMALL BUSINESS CONCERN 24, rue Royale

75008 - Paris, France

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20415.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING John Lucas, Ph.D., J.D.

TITLE OF PERSON IF OTHER THAN OWNER Vice President, Director of Intellectual Property

ADDRESS OF PERSON SIGNING Genset Corp.; 10965 Sorrento Valley Road; San Diego, CA 92121-1609

SIGNATURE

DATE

6/12/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Please type a plus sign (+) inside this box → ☐

PTO/SB/82 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REVOCATION OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/513,999
Filing Date	February 24, 2000
First Named Inventor	Dumas Milne Edwards, et al.
Group Art Unit	1645
Examiner Name	Unassigned
Attorney Docket Number	59.US2.REG

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☒ A Power of Attorney or Authorization of Agent is submitted herewith.

OR

☒ Please change the correspondence address for the above-identified application to:

☒ Customer Number

000027206



Place Customer
Number Bar Code
Label here

OR

☒ Firm or
Individual Name

John Lucas, Ph.D., J.D.

Address

Genset Corporation

Address

10665 Sorrento Valley Road

City

San Diego

Country

USA

State

CA

ZIP

92121

Telephone

858/597-2600

Fax

858/597-2601

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name

John Lucas, Ph.D., J.D.

Reg. No. 43,373

Signature

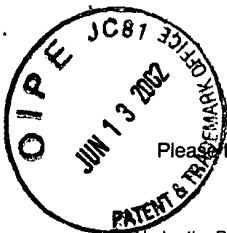
John Lucas
5/31/02

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Please type a plus sign (+) inside this box → ☐

PTO/SB/81 (10-00)
Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it display a valid OMB control number.

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/513,999
Filing Date	February 24, 2000
First Named Inventor	Dumas Milne Edwards, et al.
Group Art Unit	1645
Examiner Name	Unassigned
Attorney Docket Number	59.US2.REG

I hereby appoint:

☐ Practitioners at Customer Number

000027206

Place Customer
Number Bar Code
Label here

OR

☒ Practitioner(s) named below:

Name	Registration Number
John M. Lucas	43,373
Peter Follette	46,213
Lukas R. Voellmy	43,358
Deno Dialynas	50,711
Carol Johns	50,463

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☒ Firm or Individual Name John Lucas, Ph.D., J.D.

Address Genset Corporation

Address 10665 Sorrento Valley Road

City San Diego State CA Zip 92121-1609

Country USA

Telephone (858) 597-2600 Fax (848) 597-2601

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SIGNATURE of Applicant or Assignee of Record

Name John Lucas, Ph.D., J.D.

Signature 

Date 5/31/02

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☐ *Total of _____ forms are submitted.

59 US2:REG

PATENT

Application No.: 09/513,999
Filing Date: February 24, 2000

Client Code: GENSET.054A
Page 1

ASSIGNMENT

WHEREAS, we, Jean-Baptiste Dumas Milne Edwards, a French citizen, residing at 8, rue Gregoire de Tours, 75006 Paris, France; Aymeric Duclert, a French citizen, residing at 6 ter, rue Victorine, 94100 Saint-Maur, France; and Jean-Yves Giordano, a French citizen, residing at 12 rue Duhesme, 75018 Paris, France, have invented certain new and useful improvements in a EXPRESSED SEQUENCE TAGS AND ENCODED HUMAN PROTEINS for which I have filed an application for Letters Patent in the United States, Application No. 09/513,999, filed February 24, 2000;

AND WHEREAS, GENSET, S.A. (hereinafter "ASSIGNEE"), a French Corporation, with its principal place of business at 24, rue Royale, 75008 Paris, France, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries. *Assessee*

SIGNED this 22 day of January 2002.

JRM
Jean-Baptiste Dumas Milne Edwards

Attested by:

This document is signed because Genet has some legal obligation as regard the deposit of the patent. ~~Assigning Genet~~ And I don't want that Genet, loose, its rights in the patent. ~~Genet policy~~ B

COPY

SIGNED this ____ day of _____ 2002.

Aymeric Duclert

Attested by:

SIGNED this ____ day of _____ 2002.

Jean-Yves Giordano

Attested by:

COPY

Application No.: 09/513,999
Filing Date: February 24, 2000

PATENT
Client Code: GENSET.054A
Page 1

ASSIGNMENT

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SIGNED this ____ day of _____ 2002.

Jean-Baptiste Dumas Milne Edwards

Attested by:

COPY

SIGNED this 24 day of February 2002.



Aymeric Duclert

Attested by: Nathalie Duclert-Savatin 

SIGNED this _____ day of _____ 2002.

Jean-Yves Giordano

Attested by:

COPY

Application No.: 09/513,999
Filing Date: February 24, 2000

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Client Code: GENSET.054A
Page 1

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SIGNED this ____ day of _____ 2002.

Jean-Baptiste Dumas Milne Edwards

Attested by:

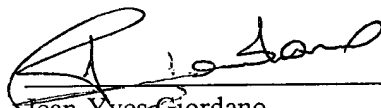
COPY

SIGNED this _____ day of _____ 2002.

Aymeric Duclert

Attested by:

SIGNED this 15 day of January 2002.



Jean-Yves Giordano

Attested by:

COPY